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Anno Regni JACOBI II.

REGIS

Angliæ, Scotiæ, Franciæ & Hiberniæ,

Primo.

At the Parliament begun at *Westminster* the Nineteenth day of *May*, *Anno Dom.* 1685. In the First Year of the Reign of our most Gracious Sovereign Lord *JAMES*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland* King, Defender of the Faith, *&c.*

LONDON,
Reprinted by *Charles Bill* and the Executrix of *Thomas Newcomb*, deceas'd; Printers to the King and Queens most Excellent Majesties. 1691.

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Jacobi II. Regis.

An Act for Erecting a new Pariſh to be called the Pariſh of St. *James* within the Liberty of *Weſtminſter*.

Whereas a Church and Steeple have been lately built in or near to a Street called Jermin-Street in the Pariſh of St. Martins in the Fields in the County of Middleſex, and the ſame (together with the Coemetery or Church-yard thereunto adjoyning) hath been Conſecrated by the Right Reverend Father in God Henry Lord Biſhop of London; Which ſaid Church and Steeple, and the Wall incloſing the Church-yard, and other Buildings and Ornaments therein and thereunto belonging have been built and erected at the Charge and Credit of Henry late Earl of St. Albans, and the Inhabi-

Church and Steeple built in *Jermin-Street*.

Conſecrated by the Biſhop of *London*.

Erected at the Charge of the late Earl of St. *Albans* and others.

tants, Owners and Occupiers of the Houses, Lands, Tenements and Hereditaments in the Precinct hereafter described, wherein the Sum of Seven thousand pounds or more hath been expended, part whereof is yet a Debt unpaid, and the said Steeple is yet unfinished, and no House provided for the Habitation of a Minister to Officiate in the said Church, which will occasion a greater Expence.

7000 *l.* expended.

Steeple unfinished, and no House for the Rector.

And forasmuch as it is found necessary, and for the better Accommodation and Conveniency of the Inhabitants of the said Precinct, that the same be made Parochial and divided from the said Parish of St. Martins, and that Provision be made for the building and providing a convenient House for a Rector or Minister to Officiate in the said Church, and a competent Maintenance for him, and such others as shall be assistant to him therein, as also for paying the Debts incurred for building the said Church, and making such Provision as shall be needful, to perfect and finish the Steeple, and otherwise as it is hereafter expressed;

The Precinct to be Parochial and divided from St. *Martins*.

And Provision made to maintain a Minister and others to assist him.

And paying the Debts.

Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all that Precinct included within the Bounds and Limits hereafter expressed, that is to say, all

The bounds and limits of the Parish described.

the

the Houſes, Lands and Grounds comprehended in a Place heretofore called St. James's Fields, With certain other Lands, Tenements and Hereditaments in the Confines thereof, beginning at a Houſe ſituate at the South-ſide of the Eaſt-end of a Street called Catherine-Street, *alias* Pall-Mall-Street, in the Tenure or Occupation of John Valentine Coffee-Man, having an Iron Balcony, including the ſaid Houſe, and extending from thence to the middle Center of the Pavement of the Hay-market-Street over againſt a Houſe there in the Occupation of one Thomas Batten a Sadler, taking in the Weſt-ſide of the ſaid Street, from the ſaid middle Center to the Weſt-end of Coventry-Street, comprehending the North-ſide thereof, and from thence inclining Northward by a Houſe in the Occupation of one John Bolton Carver by the Weſt-ſide of a Street called Prince's Street, including the ſaid Weſt-ſide thereof, and proceeding from thence to the South-end of the Place called Sohoe, and paſſing on the Weſt-ſide of the ſaid Street or Place called Sohoe, including the ſaid Weſt thereof, to a Houſe being the Sign of the Talbot on the North-eaſt Corner of a Place called Currance his Corner, including the ſaid Houſe, and from thence taking in the South-ſide of the Road-way called Tyburn Road Weſtward to a Houſe being the Sign of the Plough at the North-Weſt Corner of a Lane call-

ed Mary-bone-Lane, including the ſaid Houſe, and from thence proceeding Southward on the Eaſt-ſide of the ſaid Lane to the North eaſt Corner of a little Field called Crabtree-Field, comprehending the ſame, and the Ground from thence Weſtward to the North-weſt Corner of a Field called or known by the name of the Ten-Acres-Field in the Tenure and Occupation of Richard Earl of Burlington, his Aſſignee or Aſſigns, including the ſaid Field, and the High-way between the ſame and the Garden Wall of the ſaid Earl of Burlington to the North-weſt Corner of the ſaid Garden Wall, including the ſaid Garden and the Manſion Houſe of the ſaid Earl, called Burlington-Houſe, fronting the Street called Portugal Street, with all the Out-houſes, Stables, Yards and Buildings thereof, and thereunto appertaining, and croſſing from the South-weſt Corner of the Wall of the ſaid Houſe in the ſaid Portugal Street, to the middle Denter thereof, excluding all the North ſide of the ſaid Street Weſtward from the South-weſt Corner of the ſaid Wall, and proceeding from the ſaid middle Denter Weſtward on the South-ſide of the ſaid Portugal Street to St. James's Street, paſſing down the middle part or Denter thereof towards St. James's Houſe, to the middle Channel on the South-ſide of a new Street called Parke Place, comprehending all the Eaſt-ſide of St. James's Street to St.

James's

James's Houſe, and all the Weſt-ſide thereof, from the ſaid middle Channel downwards as far as the ſame extends, and including the South ſide of the ſaid Parke Place, to the Garden of Barbara Dutcheſs of Cleveland, comprehending the ſame, together with Cleveland Houſe, and all the Yards, Stables, Out-houſes, and Buildings thereunto appertaining, and alſo the Street which leads from the outward Gate of the ſaid houſe, fronting part of St. James's Houſe, to the Gate of the ſaid houſe, and from thence to the ſaid Pall-Mall-Street, comprehending all the Houſes, Buildings and Yards backwards to the Wall which incloſes that part of St. James's Park which hath been lately made into a Garden, extending to a houſe inhabited by Anthony Verreo Painter, lately in the Occupation of one Leonard Girle Gardener, and from thence to the houſe and Garden of Thomas Earl of Suſſex, including the ſame, together with the South-ſide of a little Street called Warwick Street to an Inn there, being the Sign of the White Hart, excluding the ſaid White-Hart Inn, Is and ſhall be from henceforth for ever a diſtinct Pariſh of it ſelf, and be called by the Name of the Pariſh of Saint *James* within the Liberty of *Weſtminſter*, and be divided and exempt from the ſaid Pariſh of St. Martin, and from all Dependances, Offices, Charges and Contributions for or in reſpect thereof, and from

The end of the Bounds and Limits.

A diſtinct Pariſh from St. *Martins* by the Name of the Pariſh of St. *James*.

Diſcharged from all dependances on St. *Martins*.

from the Cure of the Rector and Vicar of the said Parish of St. Martin and their respective Successors, and also Discharged of all Tythes, Oblations, Obventions, Mortuaries, Easter-Boks, and all other Parochial Duties Whatsoever relating to the same.

And from all Tithes, Easter-books, &c.

And be it further Enacted, That the said Church situate within the Precinct aforesaid, and the Ground thereunto adjoyning, inclosed and used for a Coemetery or Church-yard, shall be the Parish Church and Church-yard of the said Parish of St. James.

The Church and Church-yard shall be the Parish Church and Church-yard of St. *James*.

And the same is hereby Enacted and Declared to be for ever separated and Dedicated to the Service of God, and to be applied therein to the use and behalf of the Inhabitants from time to time inhabiting and to inhabit there; and that there shall be a Rector to have Care of the Souls of the Inhabitants of the said Parish, and a perpetual Succession of Rectors there.

Separated and Dedicated to the Service of God.

A Rector and successive Rectors.

And be it Enacted, That Thomas Tenison Doctor of Divinity, the present Vicar of the said Parish of St. Martins (Who hath since the Consecration of the said Church, very Well and Religiously by himself, and other Pious and Learned Ministers (by him procured) supplied the same in all Divine Offices for the Service of God, and the Instruction of the Inhabitants in the true Christian Religion)

Doctor *Tenison* Constituted the first Rector.

gion) is hereby Conſtituted the Firſt Rector thereof, and he and his Succeſſors Rectors of the ſaid Pariſh ſhall be Incorporate, and ſhall have Capacity and Succeſſion by the Name of the Rector of the Pariſh-Church of St. James Within the Liberty of Weſtminſter, and ſhall be hereby enabled to Sue, and be Sued by that Name in all Courts and Places in this Realm, and ſhall have the Care of the Souls of the Inhabitants within the ſaid Pariſh, and have and Enjoy to him and his Succeſſors for ever, one Meſſuage or Tenement for his Habitation, intended to be Erected on part of the ſaid Church-yard, or near thereunto, and alſo to Purchaſe and take Lands, Tenements, and Hereditaments to him and them, Rectors of the ſaid Pariſh and Pariſh-Church, over and above the Rents, Tenements and Hereditaments hereby Settled on the ſaid Rector, and his Succeſſors, not exceeding the yearly Value of Two hundred pounds.

To be Incorporate, and have Succeſſion.

Enabled to Sue and be Sued.

To have a Houſe to be Erected for him.

To Purchaſe Lands over and above the preſent Endowment, not exceeding 200 *l. per Annum.*

And that the Patronage, Advowſon, Donation, or Preſentation of and to the ſaid Rectory after the Deceaſe of the ſaid Firſt Rector, or next Avoidance thereof, ſhall appertain and belong to, and be hereby Veſted in the Lord Biſhop of London and his Succeſſors, and Thomas Lord Jermine and his heirs for ever; That is to ſay, The firſt Rector after ſuch Deceaſe

The Advowſon after the firſt Avoidance to be in the Biſhop of *London*, and Lord *Jermine*, and their Heirs, &c.

or Avoidance shall be Presented or Collated by the Lord Bishop of London for the time being; and the next to succeed him shall be Presented by the Lord Jermine and his Heirs, and the two next succeeding Turns by the Lord Bishop of London and his Successors, and the next Turn by the Lord Jermine and his Heirs; And the like Succession of Two Turns for the Lord Bishop of London and his Successors, and one Turn for the Lord Jermine and his Heirs shall be used for all time to come.

Two Turns to be in the Lord Bishop of *London*, and one in the Lord *Jermine* in Succession for all times to come.

Provided always, and be it Enacted, That all the succeeding Rectors of the said Parish, and Parish-Church, (Except the first Rector thereof hereby Constituted) shall be Presented, Collated, Instituted and Inducted as other Rectors, Parsons and Vicars respectively are accustomed to be.

The Rector to be Collated, Presented and Instituted as other Rectors are.

And be it further Enacted, That the first Rector, and all the succeeding Rectors thereof, shall and may have, take and enjoy such and the like Oblations, Mortuaries, Easter-Books or Offerings, and other Ecclesiastical Duties arising within the said Parish of St. James, as the Vicar of St. Martin now enjoyeth, and shall have such and the like Profits of Burials in the Chancel of the said Church of St. James, as the same is Limited in the Instrument of Consecration thereof, and as

To take the like Duties, *&c.* as the Vicar of St. *Martins.*

Like Profit of Burials in the Chancel.

as the ſaid Vicar of St. Martin hath or might uſually take for Burial in the Chancel of the ſaid Church of St. Martin, and ſhall alſo be Seized in his and their Demeſn as of Fee, as in the Right of the Church of and in a certain Toft ſituate on the North-ſide, and Eaſt-end of the ſaid Church-yard, containing in Front towards Pickedilly-Street, *alias* Portugal-Street, Thirty three Feet of a Size a little more or leſs, and in Depth backward Thirty two Foot and ſix Inches, and of and in a certain Piece or Parcel of Ground whereon ſome Stables and Tenements are Erected, now or late in the Tenure or Occupation of Sir Thomas Bond of Peckham in the County of Surrey Baronet, and Thomas Bond Eſquire, youngeſt Son of the ſaid Sir Thomas Bond, their Aſſign or Aſſigns, Tenant or Under Tenants, containing in Front next the ſaid Street, Fourty Feet, and in Depth backward Seventy five Feet, a little more or leſs, abutting on the ſaid Street North, and on the Eaſt and South on the ſaid Church-yard, and the Ground now or late of Anthony Hart Bricklayer on the Weſt, and the two Meſſuages or Tenements Fronting the ſaid Street, are now or late in the Tenure and Occupation of Richard Hayburne Carpenter, and the other now or late in the Tenure of John Elliſon, with all the Rents, Iſſues and Profits thereof, after the expiration of a Term of

The Endowment of the Rector deſcribed.

of years therein granted to the said Sir Thomas Bond, and Thomas Bond, by one Indenture bearing Date the Seven and twentieth day of January, One thousand six hundred eighty four, and also of and in Five Houses or Tenements with the Appurtenances, situate in the said Street called Jermin Street, now or late in the Tenure or Occupation of Sir Cæsar Wood, *alias* Cranmer Knt. his Assign or Assigns, Tenant or Tenants, containing in Front from East to West, One hundred twenty six Feet, and in Depth backward Fourscore and three Feet, a little more or less, and of and in the yearly Rent of Sixty pounds reserved upon a Demise thereof to the said Sir Cæsar Wood, *alias* Cranmer, for the Term of Fifty six years five months and twenty days, bearing Date the Tenth day of March, One thousand six hundred eighty three, and all other the Rents, Issues and Profits thereof after the expiration of the said Term, and the Reversion and Reversions, Remainder and Remainders of the Premisses and every of them: Saving unto the said Thomas Tennison all his Right, Title and Interest in and to the Premisses, or any of them which he hath or may claim by virtue of one Indenture of Mortgage bearing Date the Eighteenth day of May, One thousand six hundred eighty and four, and to all and every other Person or Persons other then the Kings Majesty, his Heirs and

and Succeſſors, and other then the Truſtées of the ſaid Henry late Earl of St. Albans, or any other Perſon or Perſons in Truſt for him, his Heirs, Executors, Adminiſtrators and Aſſigns, all their Right, Title, Intereſt, Claim or Demand to the Premiſſes or any of them.

The Rector may grant Leaſes for One and fourty years upon improved Rent without Fines.

And it ſhall and may be Lawful for the ſaid Rector and his Succeſſors Rectors of the ſaid Pariſh of St. James for the time-being to Grant and Demiſe ſuch of the Premiſſes or any part thereof (as are now in Leaſe) at the expiration or other ſooner determination of ſuch Leaſe for the Term of One and fourty years upon a reaſonable improved yearly Rent, without taking any Fine for the ſame.

The Inhabitants ſubject to the Law for Choice of Churchwardens and other Pariſh Officers and Parochial Duties.

And be it Enacted by the Authority aforeſaid, That the Inhabitants of the ſaid Pariſh of St. James ſhall be from time to time ſubject to the Laws and Statutes now in force, or hereafter to be made for the Choice of Church-Wardens, Overſeers of the Poor, Scavengers, Surveyers of the Highways, Conſtables and ſuch other like Pariſh Officers and other Parochial Duties within the ſaid Pariſh in like manner as the Inhabitants of the ſaid Pariſh of St. Martins, are or might be ſubject and liable unto (except where it ſhall be otherwiſe hereby appointed) and that the Overſeers of the Poor, Conſtables, Beadles, and Scavengers of the ſaid Pariſh of St. Martins which ſhall be

The Overſeers of the Poor and Officers of St. *Martins* in

being at the end of this Seſſion of Parliament, ſhall Execute thoſe Offices in the Pariſh of St. *James* till *Eaſter* and *Chriſtmaſs* following.

in thoſe Offices at the end of this preſent Seſſion of Parliament, ſhall continue therein, and Execute thoſe Offices in the ſaid Pariſh of St. James till the Feaſt of Eaſter then next enſuing, and the Surveyers of the High-Ways of the ſaid Pariſh of St. Martin then in being ſhall Execute their Office in the ſaid Pariſh of St. James, from the ſaid end of this Seſſion of Parliament till the Feaſt of Chriſtmaſs then next following, and no longer.

Mr. *J. Haynes* and Mr. *Will. Nott* the firſt Churchwardens of St. *James*.

And be it further Enacted, That John Haynes Carpenter, and William Nott Bookbinder ſhall and are hereby Conſtituted the firſt Churchwardens of the ſaid Pariſh of St. James, to have, hold, and Execute the ſaid Offices till the Feaſt of Eaſter Which ſhall be in the Year of our Lord, One thouſand ſix hundred eighty ſix, and they and their Succeſſors Churchwardens of the ſaid Pariſh of St. James, ſhall have and Receive ſuch and the like Church Duties and Perquiſites as the Churchwardens of the ſaid Pariſh of St. Martins do, may, might, or ought to Receive, and ſhall be Accountable for the ſame, and all other Money that ſhall come to them as Churchwardens, in ſuch manner as Churchwardens of other Pariſhes within the City and Liberties of Weſtminſter are or ought to be.

To continue till *Eaſter* 1686.

They ſhall receive ſuch Duties as the Churchwardens of St. *Martins*, and ſhall be accountable for the ſame.

The Veſtrymen of St. *Martins* inhabiting in St. *James* Pariſh,

Provided always, and be it Enacted, That all ſuch Veſtrymen of the ſaid Pariſh of St. Martin as are Inhabitants within

within the Precincts aforeſaid, and all ſuch others as are now Conſtituted to be Superviſors and Commiſſioners for the ſaid Church of St. James by the ſaid Lord Biſhop of London, ſhall be Veſtrymen of the ſaid Pariſh of St. James, and they together with the ſaid Rector of the ſaid Pariſh, or any ſix or more of them ſhall and are hereby Authoriſed at their firſt or ſecond Meeting after the end of this preſent Seſſion of Parliament, to Elect ſo many additional Veſtrymen Inhabitants and Houſholders within the ſaid Pariſh, as ſhall make the number of the Whole with the Rector and Churchwardens for the time being to be Four and thirty Perſons, and the ſaid Veſtrymen, or any ſix or more of them, (whereof the Rector for the time being, or his Aſſiſtant or Clerk, by his appointment, and one of the Churchwardens, to be two) ſhall and may have and Exerciſe the like Power and Authority for Ordering and Regulating the Affairs of the ſaid Pariſh of St. James as the Veſtrymen of the ſaid Pariſh of St. Martin now have and Exerciſe in reference to the ſaid Pariſh of St. Martin; and upon the Death or other Voidance of any ſuch Veſtryman, they, or any ſix or more of them, ſhall and may Elect a fit Perſon, Inhabitant and Houſholder in the ſaid Pariſh, to ſupply the ſame.

and the Superviſors of the Church, ſhall be the Veſtrymen thereof.

They ſhall Elect additional Veſtrymen.

The Rector and Veſtrymen have the like Power as Veſtrymen of St. *Martins*.

Provided always, and be it Enacted, That the Churchwardens of the ſaid Pariſh

Pews not to be diſpoſed of but by conſent of the Veſtrymen.

Pariſh for the time being, ſhall not at any time diſpoſe of any of the Pews or Places in Pews in the ſaid Church, to any Perſon not an Inhabitant thereof, nor without the Conſent and Allowance of the Veſtry-men for the time being or any ſix or more of them.

The Rector with conſent of the Veſtry to Nominate a Preacher to be Aſſiſtant to him.

And be it Enacted by the Authority aforeſaid, That the Rector of the ſaid Pariſh for the time being ſhall and may, by and with the Conſent of the ſaid Veſtrymen and Churchwardens thereof for the time being, or any Six or more of them, whereof one of the Churchwardens to be one from time to time, Nominate one able Miniſter in Prieſts Orders to reſide in the ſaid Pariſh, to be Preacher and Aſſiſtant to the ſaid Rector and his Succeſſors in the Celebration of the Divine Offices of Praying and Preaching, and other Duties incident to be performed in the ſaid Church and Pariſh, as the Rector ſhall require of him; And likewiſe to Nominate a fit Perſon in like Orders to be Clerk of the ſaid Pariſh and Pariſh-Church, and one or more Sexton or Sextons; to which Clerk and Sextons reſpectively there ſhall be ſuch and the like Dues, Fees, Perquiſites and Profits paid and allowed, as are or have at any time been paid or payable, or belonging to the Clerk and Sextons of the ſaid Pariſh-Church of St. Martin reſpectively; which ſaid Preacher, Aſſiſtant, Clerk and Sexton or Sextons, and every of them, ſhall con-

And to Nominate a Clerk to be in Prieſts Orders.

And one or more Sexton or Sextons.

To have the like Fees as the Clerk and Sexton of St. *Martins*.

Preacher, Clerk and Sexton to be for life.

continue in his ſaid Place during his or their Natural Lives, if they ſhall ſo long inhabit there, except for ſome Offence or Miſgovernment by them or any of them committed, (and unleſs for Cauſe reaſonable proved) they ſhall be diſplaced by the ſaid Rector for the time being by and with the Conſent of the ſaid Veſtrymen, or any ſix or more of them.

Yet ſubject for Miſgovernment to be diſplaced.

And be it Enacted, That the Churchwardens of the ſaid Pariſh of St. James for the time being, ſhall and are hereby Required from time to time to pay the yearly Sum of Thirty pounds to the Clerk to be appointed as aforeſaid out of the Profits of the Pews in the ſaid Church, and other the Duties, Profits and Perquiſites to them accruing as aforeſaid by four quarterly Payments; That is to ſay, On the Feaſt of St. Michael the Archangel, the Birth of our Lord God, the Annunciation of the Bleſſed Virgin Mary, and St. John the Baptiſt, or Ten days after every of the ſaid reſpective Feaſts by equal and even Portions; The firſt Payment to be accounted due and payable from the firſt of the ſaid Feaſts that ſhall happen after the end of this preſent Seſſion of Parliament.

Thirty pounds a year payable to the Clerk.

And be it Enacted by the Authority aforeſaid, That the ſaid Churchwardens and Veſtrymen, or any ſix or more of them, ſhall and are hereby Authorized and Required within Ten days after the

An Eſtimate to be made of the Charge of finiſhing the Steeple.

end of this Seſſion of Parliament, to make or cauſe to be made an Eſtimate in Writing under the Hand or Hands of ſome ſufficient Perſon or Perſons qualified for the ſame, of the Charge of finiſhing the Steeple of the ſaid Church, and providing a Clock, and one or more Bells for the ſame, and other Works neceſſary and requiſite in and about the ſaid Church and Steeple, and of Building a Convenient Houſe for the Rector. And ſuch Sum or Sums of Money as ſhall appear to them upon ſuch Eſtimate to be in their Judgments Competent to accompliſh the Premiſſes, and to ſatisfie and pay the Debts incurred for or by reaſon of the ſaid Church, ſhall be by them, or any ſix or more of them Charged upon all and every of the Inhabitants, Owners and Occupiers of Lands, Tenements and Hereditaments, or any Perſonal Eſtate within the ſaid Pariſh, to be by them paid in four years by Sixteen Quarterly and ſucceſſive Payments; The firſt whereof to Commence and become payable to the Churchwardens for the time being, (who are hereby Authorized to receive the ſame at the firſt of the Feaſt-days aforeſaid, as ſhall happen after the Aſſeſſing and Taxing thereof) and the reſt to be ſucceſſively to them alſo Quarterly paid at the ſucceeding Feaſt-days aforeſaid until all the ſaid ſixteen Quarterly Payments ſhall be made and finiſhed; And the ſaid Church-

And building a Houſe for the Rector.

And to pay the Debts incurred for building the Church.

Which ſhall be charged on the Owners and Occupiers of Houſes, to be paid in four years by ſixteen quarterly payments.

Wardens and Veſtrymen, or any ſix or more of them, are hereby Required and Authorized Within Ten days after the firſt of the Feaſts that ſhall happen after the end of this Seſſion of Parliament, to Aſſeſs, Tax and Rate the firſt of the ſaid Quarterly Payments after a Pound-Rate, according to the Improved Yearly Values of the Premiſſes, or otherwiſe as they ſhall think meet, and in like manner to Aſſeſs every other of the ſaid Quarterly Payments Within Ten days after the time of Payment of the next preceding Quarterly Payment, all Which ſaid Aſſeſſments ſhall be Confirmed and Allowed by the two next Juſtices of the Peace of and dwelling within the City and Liberty of Weſtminſter, under their Hands and Seals, and be Collected by ſuch Perſons Inhabitants of the ſaid Pariſh, as the ſaid Veſtrymen, or any ſix or more of them ſhall from time to time under their Hands and Seals appoint.

The Church-wardens and Veſtrymen ſhall Aſſeſs and Tax the ſaid Quarterly Payments.

Which ſhall be Confirmed by two Juſtices of the Peace.

Provided always, and be it Enacted, That no Tenant or Occupier of any of the ſaid Lands, Tenements and Hereditaments ſhall be Rated for his or her Perſonal Eſtate in any one Quarterly Payment, at leſs then a Fifth part of the Sum Aſſeſſed upon the Landlord for the ſame.

No Tenant ſhall be Taxed at leſs then a Fifth part of the Tax on the Landlord.

And that if the Eſtimate and Computation to be made as aforeſaid, ſhall not be ſufficient to diſcharge the Debts incurred about

If the Eſtimate be not ſufficient, a new Charge may be made.

about the Building of the said Church, and finish the said Steeple, and other the Works hereby intended to be done, The said Vestrymen, or any six or more of them, shall and may Charge and Assess any such Additional Sum or Sums upon the said Inhabitants, Owners and Occupiers, as shall be needful to perfect and accomplish the same, so as such Additional Sum, together with the Sum hereby Charged and payable by the said Sixteen Quarterly Payments exceed not in the whole, The Sum of Two thousand pounds.

So as the whole Tax to be raised in four years for the Church, do not exceed Two thousand pounds.

And be it Enacted, That the several and respective Tenants or Tenant of all Houses and Lands which shall be Tared or Rated by virtue of this Act for the purposes aforesaid, are hereby Authorized and Required to pay such Sum or Sums of Money as shall be Tared, Rated or Assessed upon such House or Land, or upon them or any of them in respect thereof, and to deduct out of their Rent so much of the said Rates, as in respect of the said Rent of every such House and Land, the Landlord should or ought to pay and bear, and the said Landlords mediate and immediate, according to their respective Interests, are hereby required to allow such Deductions and Payments upon the Receipt of the residue of the Rents; And every Tenant paying the said Tax or Assessment, shall be acquitted and discharged

Tenants to pay the Tax rated on them.

And deduct the same out of their Rent.

Landlords shall allow of such deduction.

ged for ſo much Money as the ſaid Tax or Aſſeſſment ſhall amount unto, as if the ſame had been actually paid unto ſuch Perſon or Perſons unto Whom his or her Rent ſhould have been due and payable.

And be it further Enacted, That the Churchwardens of the ſaid Pariſh of St. James ſhall cauſe all the Debts, Credits and Contracts made and to be made, with or by the Artificers and Workmen employed or to be employed for any Work or Building to be made or done in or about the Premiſſes, to be Entred and Regiſtred in one or more Book or Books (to be kept for that purpoſe) and the ſaid Veſtrymen, or any ſix or more of them, out of the Money Collected and paid to the ſaid Churchwardens upon the ſaid Quarterly Payments, ſhall in the firſt place Pay and Diſcharge, or cauſe to be Paid and Diſcharged, all ſuch Debts, Mortgages and Incumbrances wherewith any of the Houſes hereby Settled on the Rector, are in any manner Affected or Incumbred, and after the Diſcharge thereof, ſhall then iſſue and pay, or cauſe to be iſſued and paid to the Artificers and Workmen employed or to be employed in and about the finiſhing of the ſaid Steeple, Houſe and Premiſſes, all and every Sum and Sums of Money now or hereafter due and payable unto them, their Executors, Adminiſtrators or Aſſigns, proportionably,

Debts and Contracts with Artificers ſhall be Regiſtred.

Incumbrances on the Houſes Settled on the Rector ſhall be firſt diſcharged.

Workmen ſhall be paid in courſe according to the Dates of the Regiſtring their Debts,

bly, according to the Dates of the Registring of their Debts and Credits, as aforesaid, With moderate Interest for their forbearance thereof.

And moderate Interest for forbearance.

And be it Enacted by the Authority aforesaid, That the Churchwardens of the said Parish for the time being, together with Four, Three or more substantial Housholders thereof, shall upon the Tuesday in Easter-week next after the end of this Session of Parliament, or at any time within Ten days after the said Tuesday, and so yearly for ever, proportionably Tax, Rate, and Assess the yearly Sum of One hundred pounds upon the Inhabitants and Occupiers of Lands, Houses, Tenements and Hereditaments within the said Parish for the Payment of the Preacher Assistant, to be Nominated and Appointed as aforesaid; Which said Assessment shall be Confirmed and Allowed in such manner as other the Assessments hereby appointed to be made as aforesaid, and be Collected and Paid yearly to the Churchwardens for the time being, by such Person or Persons as the said Churchwardens shall appoint at the four usual Feasts, or times of the Year before mentioned. The first Payment to begin and be made at the Feast of St. John the Baptist next after the Taxing and Assessing thereof; And the said Churchwardens, or either of them, shall pay the said Yearly Sum of

100 *l. per Annum* shall be yearly Taxed for the Preacher.

To be Collected and Paid to the Churchwardens.

One

One hundred pounds over and above all Charges and Deductions for Collecting the same to the said Preacher Assistant for the time being, to be Nominated as aforesaid, upon the said four usual Feasts or Terms in the Year, by even and equal Portions; The first Payment to begin at the said Feast of the Nativity of St. John the Baptist last mentioned.

The 100 *l. per Annum* shall be paid to the Preacher by Quarterly Payments.

And it is hereby Enacted and Ordained, That in case a default of Payment happen of any of the Sums aforesaid, to be paid by the Churchwardens for the time being, or any of them, to the said Preacher Assistant, or Clerk, and lawful Demand thereof being made at the Dwelling house of any of the said Churchwardens, that then the two next Justices of the Peace of the Place shall and may upon Complaint of the Party grieved in this behalf give Relief according to the true intent of this Act, and shall and may cause the Churchwarden or Churchwardens offending therein, to be Imprisoned, till Payment be made of what shall be so behind and unpaid.

Upon default of payment to the Preacher or Clerk,

The Justices shall give Relief,

And imprison the Churchwardens till Payment be made.

And be it Enacted, That the said Churchwardens together with four, three or more substantial Housholders as aforesaid, shall and are hereby Authorized from time to time, to make Rates and Assessments upon the Inhabitants and Occupiers as aforesaid, for the Raising Money for the payment of Scavengers or Rakers

Taxes may be made to Repair the Church and Cleanse the Streets.

kers for Cleanſing the Streets of the ſaid Pariſh, and likewiſe for Repairing and Amending the Church, Steeple, Church-yard and Veſtry-Room of the ſaid Pariſh when need ſhall be. The ſaid Rates, Taxes and Aſſeſſments for Repairing and Amending the Church and Premiſſes, to be paid to the Churchwardens of the ſaid Pariſh, and thoſe and all other the ſaid laſt mentioned Rates, Taxes and Aſſeſſments to be made and Collected, Confirmed and Allowed as aforeſaid.

The Taxes for the Church to be paid to the Churchwardens.

To be Confirmed and Allowed as other Taxes.

Provided always, and be it Enacted, That for the better and more eaſie Taxing and making of the Aſſeſſments for the payment of a Preacher Aſſiſtant as aforeſaid, the Churchwardens ſhall on every Eaſter-Day after the end of this Seſſion of Parliament give Notice in the Church by Name to ſuch and ſo many ſubſtantial Houſholders as they think fit to Aſſemble and Meet with them on the next Tueſday after in the Veſtry or Chancel of the ſaid Church to make the ſaid Aſſeſſment. And if Notice be not given, and a Meeting thereupon had by and with the Perſons ſo named, then every of them offending therein, which ſhall not make proof of a reaſonable Cauſe of his Abſence before ſome one Juſtice of the Peace of the City and Liberty of Weſtminſter, ſhall forfeit the Sum of Five pounds to the ſaid Preacher to be Levied by Diſtreſs and Sale of the Offenders Goods, by

Notice to be given in the Church at *Eaſter* to Houſholders by Name to make Taxes.

Remedy for default of Notice or Meeting.

The offender to pay 5 *l.* to the Preacher.

by Warrant under the Hand and Seal of any one Juſtice of the Peace as aforeſaid, rendring the Overplus to the Owner thereof after deduction of reaſonable Charges for Levying the ſame.

Remedy for deficiencies in the Aſſeſſments.

And be it further Enacted, That if any of the ſaid Aſſeſſments ſhall be Tared or Aſſeſſed on any Perſon not of ability to pay the ſame, or upon any Houſe that after the making thereof ſhall become void, whereby the ſame cannot be Collected; Or that through any Wilfulneſs or deficiency of a Collector, or any Miſtake or Accident whatſoever there be a deficiency in one of the ſaid Quarterly or other Payments, or Sums of Money payable by this Act, the ſame ſhall be Reaſſeſſed, or added to the next ſucceeding Aſſeſſment, and be therewith Reaſſeſſed, Collected and Levied in manner as aforeſaid.

The ſame to be Reaſſeſſed.

Negligence of Officers puniſhed.

Provided always, and be it Enacted, That if any Perſon nominated to be a Collector of, or for any Tax or Aſſeſſment made by virtue of this Act, ſhall refuſe to accept the Office, or be negligent in his Duty therein, he ſhall forfeit for every Offence the Sum of Fourty ſhillings to the uſe of the Poor of the ſaid Pariſh, to be Levied by Warrant of any one Juſtice of the Peace as aforeſaid, under his Hand and Seal, by Diſtreſs and Sale of his Goods, to be taken and juſtified to the uſe aforeſaid. And if any Perſon ſhall refuſe or neglect to pay the Sum or Sums of

Money on him or her Rated or Assessed by virtue of this Act, it shall and may be lawful for the said Collectors by Warrant under the Hands and Seals of any two Justices of the Peace of the Place, to Levy the same by Distress and Sale of the Goods of the Offender, rendring the Overplus to the Owners thereof after deduction of reasonable Charges for making the same. And if any Person or Persons so refusing or neglecting as aforesaid shall convey away their Goods, whereby the Sum Assessed cannot be Levied, any two Justices of the Peace as aforesaid are hereby Impowered by Warrant under their Hands and Seals to Imprison the Offender, (not being a Peer or Peeress of this Realm) and to cause him or her to be detained in the Common Goal of the said City and Liberty of Westminster till the Sum on him or her Rated, and the Charges for bringing in the same, be paid and satisfied. And if any Difference shall arise between Landlord and Tenant, or any other Person, concerning any of the said Quarterly Assessments, or if any Person shall find him or her self grieved with any Assessment or Tax made by virtue of this Act, any two Justices of the Peace as aforesaid, shall and have hereby Power finally to Hear, Settle and Determine the same as they shall think meet.

Remedy to Levy the Tax on Refusers or Neglecters to pay.

Penalty for conveying away Goods.

Two Justices may decide Differences between Landlord and Tenant, and relieve Persons over-rated.

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Scavengers and Surveyors of the High-ways ſhall yearly Account.

Provided always, That ſuch Sums of Money as ſhall be yearly Aſſeſſed in the ſaid Pariſh of St. James for Cleanſing the Streets, and Repairing the High-Ways, ſhall be yearly Accounted for by the Scavengers and Surveyors of the Highways reſpectively which Collected the ſame, to Two or more of the Juſtices aforeſaid, within Four days after the Electing of new Scavengers and Surveyors of the Highways for the enſuing Year, and ſuch Sum or Sums as ſhall be remaining in their hands, ſhall be by them paid over to the next ſucceeding Scavengers and Surveyors of the Highways reſpectively, and any Two ſuch Juſtices of the Peace ſhall and may by virtue hereof, Commit every of the ſaid Scavengers or Surveyors to the ſaid Common Goal, which ſhall refuſe to Account, there to remain without Bail or Mainprize until he have made a true Account, and ſatisfied and paid ſo much as upon the ſame ſhall be remaining in his hands, and the Sheriffs of Middleſex, or his or their Under-Sheriffs, and the Bayliff of Weſtminſter and his Deputy or Deputies, and all Conſtables in the City and Liberties of Weſtminſter, are hereby required to be Aiding and Aſſiſting when thereunto required, in the Execution of this Act.

And ſhall pay the Money remaining in their hands to the ſucceeding Scavengers.

Scavengers and Surveyors refuſing to Account, ſhall be Impriſoned.

And be it Enacted, That the Dean of the Collegiate Church of St. Peters in Weſtminſter,

The Dean of *Westminster*, &c. to Elect Additional Burgesses.

Westminster, or his Successors, or the high Steward there for the time being, shall and are hereby Required and Authorized on the next Thursday in Easter-Week next after the end of this Session of Parliament, and so yearly for ever hereafter to Nominate and Elect Two sufficient Persons Inhabiting within the said Parish of St. James, to be additional Burgesses to those already Constituted by virtue of one Act of Parliament made in the Twenty seventh Year of the Reign of Queen Elizabeth, Intituled, An Act for the good Government of the City and Borough of *Westminster* in the County of *Middlesex*; Unto the Government of every which Burgesses, there shall be a Ward set out by fit Metes and Bounds in the said Parish of St. James.

Wards to be set out for such Burgesses.

And for the more Aid and Assistance of the said Burgesses, It is hereby Enacted, That the said Dean or his Successors, or the said high Steward or his lawful Deputy, with all the Burgesses then in being, or the more part of them, within Eight days after the Election and Choice of the said Two Burgesses, Nominate and Elect Two other able Persons Inhabiting in the said Parish, to be Assistants to the said Burgesses; Which said Burgesses and Assistants shall take the Oaths appointed by the said Act to be taken by Burgesses and Assistants, and continue in their Places,

The Dean, &c. and Burgesses to choose Assistants to the Burgesses.

Burgesses and Assistants to take the Oaths appointed.

(if

(if they ſhall inhabit in the ſaid Pariſh) for ſuch time, and be ſupplied upon Death or Removal, as other Burgeſſes and Aſſiſtants are thereby to continue and be ſupplied, and ſhall alſo Accept, Occupy and Enjoy the ſaid Rooms upon the Pains to be reſpectively Impoſed by the ſaid Act upon Burgeſſes and Aſſiſtants that ſhall refuſe the ſame, to be Levied of every of them, as therein it is Ordained. And every of the ſaid Burgeſſes, together with his Aſſiſtant ſhall and may do, and deal Within the Ward, to them appointed in every thing and things, as Aldermens Deputies in the City of London Lawfully do, or might at any time Lawfully have done, and ſhall have and enjoy ſuch and the like Liberties, Priviledges and Authorities in all reſpects, as other Burgeſſes and Aſſiſtants of the ſaid City and Liberties of Weſtminſter by the ſaid Act do or may Enjoy.

And to continue and be ſupplied.

To accept the Offices upon pains to be inflicted.

The Power of the Burgeſſes and Aſſiſtants.

And ſhall and are hereby Enabled to Do and Execute all and every the like Act and Deed, Thing and Things to be thereby done and Executed by them or any of them.

Their Privledges and Authorities.

Provided always, That in caſe the Dean of Weſtminſter aforeſaid, or his Succeſſors, and the High Steward for the time being, and his Lawful Deputy, ſhall not nominate and elect Burgeſſes

Remedy if the Dean of *Weſtminſter*, &c. ſhall not Elect Burgeſſes and Aſſiſtants.

and Assistants for the said Parish of Saint James at the Times before limited, that then it shall and may be Lawful for two Justices of the Peace Within the County of Middlesex or City and Liberty of Westminster, whereof one to be of the Quorum, to Nominate and Choose the said Burgesses and Assistants, which being so by them Nominated and Chosen, shall Occupy and Enjoy the said Rooms upon the Pains in the said Recited Act limited, and have and Enjoy such Rights and Liberties and Authorities in all respects, as if they had been Nominated and Elected by the said Dean and High Steward as aforesaid.

The Lord Bishop of *London* to execute Ecclesiastical Jurisdiction in the Parish of St. *James*.

Provided always, and be it Enacted, That the Lord Bishop of London and his Successors shall and may at all times hereafter execute Ecclesiastical Jurisdiction in the said Parish of Saint James as he or they may do in any other Parish within the Diocess of London.

Persons Sued may Plead the General Issue, and recover treble Costs.

And be it Enacted, That if any Actions, Plaint, or Suit, or Information shall be Commenced or Prosecuted against any Person or Persons for What he or they shall do in pursuance or Execution of this Act, such Person and Persons so Sued may Plead the General Issue of Not Guilty, and upon any Issue joyned, give

give this Act and the eſpecial Matter in Evidence; and if the Plaintiff or Proſecutor ſhall become Nonſuit or ſuffer a Diſcontinuance, or if a Verdict paſs againſt him, the Defendants ſhall recover treble Coſts, for which they ſhall have the like Remedy as in any Caſe where Coſts by the Law are given to Defendants.

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